

ORIGINAL

AO 93 (Rev. 5/85) Search Warrant

Unsealed 3/06/08

United States District Court

MARCH 14 PM 2:34

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

2/24
DEPUTYIn the Matter of the Search of
(Name, address or brief description of the person or property to be searched))2825 Red Rock Canyon Road
Chula Vista, CA**SEARCH WARRANT**CASE NUMBER: **'08 MJ 0679**

TO: Any Special Agent of the Drug Enforcement Administration and any Authorized Officer of the United States
 Affidavit(s) having been made before me by Special Agent Brett O'Connor who has reason to
 Affiant

believe that on the person of or on the premises know as (name, description and/or location)

See Attachment A.

in the SOUTHERN District of CALIFORNIA there is now concealed a certain person or property, namely (describe the person or property)

See Attachment B - which constitutes (1) evidence of drug trafficking offenses under 21 USC 841(a)(1), 843(b) and 846, and money laundering offenses under 18 U.S.C. 1956, (2) contraband, fruits of a crime, or other items illegally possessed, and/or (3) property designed for used, intended for use, or used in committing crimes.

I am satisfied that the affidavit(s) and any record testimony establish probable cause to believe that the person or property so described is now concealed on the person or premises above-described and establish grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before 3/14/08 Date

(not to exceed 10 days) the person or place named above for the person or property specified, serving this warrant and making the search (in the daytime--6:00 A.M. to 10:00 P.M.) (~~at any time in the day or night as I find reasonable cause has been established~~), and if the person or property be found there to seize same, leaving a copy of this warrant and receipt for the person or property taken, and prepare a written inventory of the person or property seized and promptly return this warrant to Hon. Cathy Ann Bencivengo, U.S. Magistrate Judge U.S. Judge or Magistrate as required by law.

March 4, 2008 at 4:05 a.m./p.m.

at San Diego, California

Date and Time Issued

City and State

Cathy Ann Bencivengo, U.S. Magistrate Judge

Signature of Judicial Officer

Name and Title of Judicial Officer

ATTACHMENT A**DESCRIPTION OF PROPERTY TO BE SEARCHED**

The target premises located at 2825 Red Rock Canyon Road, Chula Vista, California is a two-story single family residence on the north side of Red Rock Canyon Road. The residence has an off-white stucco exterior with gray faux shutters on the second story windows facing the street. The front door to 2825 Red Rock Canyon Road is gray in color. The numerals "2825" are visible on the exterior wall of the residence, adjacent to the garage door, facing Red Rock canyon Road.

The search shall include all rooms, attics, crawl spaces, safes, briefcases, storage areas, containers, garages, sheds, carports, storage facilities and containers such as safes, vaults, file cabinets, drawers, luggage, briefcases, valises, boxes, jewelry boxes, cans, bags, purses, trash cans and vehicles located on or near the premises, that are owned or under the control of the occupants of such premises, evidenced by prior surveillance, possession of keys, maintenance paper work, title, insurance papers, or registration for such vehicles in the name of the occupants including: (1) the brown 2000 Lexus bearing California license plate number 5CHF845 that is registered to SAENZ; (2) a black 2006 Infinite SUV bearing California license plate number 5SKB807 that is registered to SAENZ; and (3) a silver 2002 Honda bearing California license plate number 4XCM609 that is registered to David or Ida SURPRISE.



ATTACHMENT B**ITEMS TO BE SEIZED**

1. Documents containing data reflecting or memorializing the ordering, possession, purchase, storage, distribution, transportation and sale of controlled substances, including buyer lists, seller lists, pay-owe sheets, records of sales, log books, drug ledgers, personal telephone/address books containing the names of purchasers and suppliers of controlled substances, electronic organizers, Rolodexes, telephone bills, telephone answering pads, bank and financial records, and storage records, such as storage locker receipts and safety deposit box rental records and key.
2. Money, assets, and evidence of assets derived from or used in the purchase of controlled substances and records thereof, including but not limited to United States currency, negotiable instruments and financial instruments including stocks and bonds, and deeds to real property, books, receipts, records, bank statements and records, business records, money drafts, money order and cashiers checks receipts, passbooks, bank checks, safes and records of safety deposit boxes and storage lockers.
3. ~~Weapons, firearms, firearms accessories, body armor, and ammunition and documents relating to the purchase and/or possession of such items.~~
4. Documents and articles of personal property reflecting the identity of persons occupying, possessing, residing in, owning, frequenting or controlling the premises to be searched or property therein, including keys, rental agreements and records, property acquisition records, utility bills and receipts, photographs, answering machine tape recordings, telephone, vehicle and/or vessel records, canceled mail envelopes, correspondence, financial documents such as tax returns, bank records, safety deposit box records, canceled checks, and other records of income and expenditure, credit card records, travel documents, personal identification documents and documents relating to obtaining false identification including birth certificates, drivers license, immigration cards and other forms of identification which the same would use other names and identities other than his or her own.
5. All incoming telephone calls received at the residence during the execution of the search warrant and all calls received on cellular telephones found during the execution of the warrant.
6. Devices used to conduct counter-surveillance against law enforcement, such as radio scanners, police radios, surveillance cameras and monitors and recording devices and cameras.
7. Photographs and video and audio recordings which document an association with other coconspirators and/or which display narcotics, firearms, or money and proceeds from narcotics transactions.
8. Packages and contents that were delivered to the residence, or were about to be sent by the occupants.
9. Drug paraphernalia to include: distribution materials including scales, plastic baggies, electrical and duct tape, and other odor masking materials.
10. Police radio scanners, pagers, cellular telephones, facsimile machines, telephone answering machines, Caller ID system, and prepaid telephone cards.
11. Travel documents including itineraries, airline tickets, boarding passes, motel and hotel receipts, rental car receipts, passports and visas, credit card receipts, shipping and receiving documents relating to the delivery of packages.

- 1
- 2 12. Banking and financial institution records, bank statements, credit card statements, canceled
- 3 checks, money orders; deposit slips, orders for or receipt of money transfer by wire, checking
- 4 and saving books, financial institution statements, safe deposit boxes, loan statements, tax
- 5 returns, business and personal ledgers, and accounting records.
- 6 13. Records relating to the lease of storage lockers, telephone/address directories and other papers
- 7 containing telephone numbers and addresses.
- 8 14. Records related to the purchase of real estate, vehicles, precious metals, jewelry and other
- 9 tangible assets.
- 10 15. Automotive parts and devices used to create clandestine compartments to hide large quantities
- 11 of drugs and/or currency.
- 12 16. Digital storage devices including: floppy disk, CD ROMS, DVD ROMS, magnetic tapes,
- 13 magnet optical cartridges, personal digital assistance, pagers, money chips, thumb drives, jump
- 14 drives, flash drives, portable hard drives and computers containing hard drives. All electronic
- 15 devices, such as computers, which include the central processing units, internal and external
- 16 devices, internal and external storage equipment or media, terminals or video display units,
- 17 together with peripheral equipment, such as keyboards, printers, modems, and programmable
- 18 telephone dialing devices, and operating system software, program software, applications
- 19 software, manuals for the software and hardware, electronic organizers, or personal digital
- 20 assistants and computer discs and CD's, cellular telephones and SIM cards. All seized
- 21 computers shall be returned to the defendants or the defendant's agent within 10 calendar days.
- 22 If agents need more time than 10 days to complete the mirror imaging, the Government will seek
- 23 from the Court an extension of time within which to return the applicable devices and/or
- 24 equipment.
- 25 17. With respect to any and all electronically stored information in cellular phones and PDAs, agents
- 26 may access, record, and seize the following:
 - a. telephone numbers of incoming/outgoing calls stored in the call registry;
 - b. Digital, cellular, and/or telephone numbers and/or direct connect numbers, names and identities stored in the directories;
 - c. Any incoming/outgoing text messages relating to controlled substances offenses under 21 U.S.C. §§ 841(a)(1), 843(b), 846, and money laundering offenses under 18 U.S.C. § 1956;
 - d. telephone subscriber information;
 - e. the telephone numbers stored in the cellular telephone and/or PDA; and
 - f. any other electronic information in the stored memory and/or accessed by the active electronic features of the digital or cellular phone including but not limited to photographs, videos, e-mail, and voice mail relating to controlled substances offenses under 21 U.S.C. §§ 841(a)(1), 843(b), 846, and money laundering offenses under 18 U.S.C. § 1956.
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AO 93 (Rev. 2/90) Search Warrant

RETURN		
DATE WARRANT RECEIVED 3/5/2008	DATE AND TIME WARRANT EXECUTED 3/6/2008 0600	COPY OF WARRANT AND RECEIPT FOR ITEMS LEFT WITH JOSE SAENZ, Gwen SURPRISE
INVENTORY MADE IN THE PRESENCE OF JOSE SAENZ & Gwen SURPRISE		
INVENTORY OF PERSON OR PROPERTY TAKEN PURSUANT TO THE WARRANT		
<i>SEE ATTACHED DEA-12 INVENTORY FORMS</i>		
CERTIFICATION		
I swear that this inventory is true and detailed account of the person or property taken by me on the warrant.		
		
Subscribed, sworn to, and returned before me this date.		
		<i>3/11/08</i> Date
U.S. Judge or Magistrate		

CATHY ANN BENCIVENGO
U.S. MAGISTRATE JUDGE

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable)	FILE NO.	G-DEP IDENTIFIER
<i>Jose SAENZ</i>	R2-06-0146	
	FILE TITLE	
	DATE	3/6/08

DIVISION/DISTRICT OFFICE

SDFD

Addendum to Search Warrant Inventory

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual:

RECEIVED BY (Signature)

H. Miller, SA

WITNESSED BY (Signature):

C. J. T. 54

NAME AND TITLE (Print or Type)

Hattie Wathenig, SA
NAME AND TITLE (Print or Type)

ELIN K. D-61E , SA

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable)

FILE NO

G-DEP IDENTIFIER

George Saenz

FILE NO.
PZ-06-0145

FILE TITLE

DATE

3/10/08

DIVISION/DISTRICT OFFICE

SDFD

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

RECEIVED BY (Signature)

NAME AND TITLE (Print or Type)

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable)

George JOSC STEENZE

FILE NO.

122-00-0146

G-DEP IDENTIFIER

FILE TITLE

DATE

3/6/08

DIVISION/DISTRICT OFFICE

San Diego Field Division

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
	MISCELLANEOUS DOCUMENTS	
2	iphones	
1	nexTEL w/ charger	
	phentermine	
3	hydrocodone tablets 500 mg/12.5 mg (Qualitest)	
4	orange bottles containing white Circumair tablets (methylphenidate)	
2	empty hydrocodone tablets 500 mg/12.5 mg (Walson)	
1	digital scale	
1	orange bottle wht. tablets	
	MISCELLANEOUS PILL BOTTLES w/ labels	
1	bag containing yellow tablets (hydrocodone)	
1	small orange container containing	
2	tritac, 10 mg	
1	empty hydrocodone bottle	

RECEIVED BY (Signature)

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

Kelli M. Haffner, SA

NAME AND TITLE (Print or Type)

Amanda J. Culver SA FBI

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable)	FILE NO.	G-DEP IDENTIFIER
Jose Saenz Gwen Surprise	R2-06-046	PNAI B13
	FILE TITLE	Comment Dizon
	DATE	02/20/08

DIVISION/DISTRICT OFFICE

SDAD

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (if Applicable)
1 CAR	VIN# WRAGL63452DP57590	Seized by DEA PCE
	CA. LIC# 5RFA2BB	21 USC BBI
	M. license : 61065	

RECEIVED BY (Signature)

NAME AND TITLE (Print or Type)

Daly N. Larue S/A

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

James Horwitz, TFD

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable)	FILE NO.	G-DEP IDENTIFIER
Jose Saenz Gwen Surprise	R2 06 0146	YNNB13
	FILE TITLE	12 Animal Dizn
	DATE	03/06/08

DIVISION/DISTRICT OFFICE

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I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
One bag	U.S currency to be counted	Seized by DEA DEX
	by bank	per 21 USC BB1

RECEIVED BY (Signature)

NAME AND TITLE (Print or Type)

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

**U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION
RECEIPT FOR CASH OR OTHER ITEMS**

TO: (Name, Title, Address (including ZIP CODE), if applicable) Jose Saenz Gwenne Supreme	FILE NO. R2-0-046	G-DEP IDENTIFIER UNNBR
	FILE TITLE Raymond Dizon	
	DATE 03/06/08	

DIVISION/DISTRICT OFFICE

SDT_D / ST_{HLR}

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
1 ring	1 diamond ring	Seized by DPD per 21 USC 881

RECEIVED BY (Signature)	NAME AND TITLE (Print or Type)
	James Hinkley, ITA
WITNESSED BY (Signature)	NAME AND TITLE (Print or Type)
	H. Miller